

Royal Hospital for Sick Children, 9 Sciennes Road EH9 1LF

Listed Building Application [21/00331/LBC](#)

and

Discharge of Conditions 7 and 8 from Planning Application [18/02719/FUL](#)

OBJECTION from Grange Association

26 February 2021

This application 21/00331/LBC relates ostensibly to Listed Building Consent for the demolition of 20th century additions that abut the [A-listed](#) mortuary chapel which houses the world-famous [Phoebe Traquair](#) Murals (“the murals”). However, the application also makes reference in its Method Statement to [18/02719/FUL](#) and implies that a grant of LBC under this 21/00331/LBC would contribute to discharging critical conditions that were applied to the granting of 18/02719/FUL. We have no objection in principle to the removal of the 20th century additions which should be the principal concern of this application, but we are very concerned to ensure:

- a) The applicant fulfils its obligations to restore the A-listed chapel in accordance with Condition 7 of the grant of 18/02719/FUL and by addressing the matters that are delaying the approval of [18/02725/LBC](#);
- b) Grant of this LBC application is not used to support or justify the discharge of Condition 8 of the grant of planning permission 18/02719/FUL which obliges the owner to make arrangements to protect and care for the murals before, during and after building works; and
- c) Safeguards are put in place during the demolition of the additions to the chapel to ensure that there is no damage to the fabric of the mortuary chapel or its contents and that an independent engineer is appointed to ensure this is done.

Background and other relevant planning applications

Application	Received	Status	Description
18/02719/FUL	13/06/2018	Approved (with 8 conditions)	Main application for site
18/02720/CON	13/06/2018	Approved	Demolition in conservation area
18/02722/LBC	13/06/2018	Approved	Hospital block alterations
18/02723/LBC	13/06/2018	Approved	Millerfield Place alterations
18/02725/LBC	13/06/2018	Awaiting decision	Alteration to Mortuary Chapel (MC)
21/00331/LBC (this application)	25/01/2021	Awaiting assessment	External alterations to MC building (removal of link buildings)

Planning application [18/02719/FUL](#) was considered at the meeting of the Development Management Sub-Committee (DMSC) on 6 February 2019. This included a proposal for the mortuary chapel to contain two residential flats, one on each of the ground floor and the first floor. Objectors considered that this proposal would threaten the long-term protection of the murals and unduly restrict public access to them. On a split vote of the Councillors present, the decision was taken to grant planning permission for the main site but with conditions including:

-*the proposed change of use of the mortuary chapel and subsequent alterations to the mortuary chapel are not approved;*

- *....continue consideration of the application for Listed Building Consent relating to the Mortuary Chapel building for a period of **three months** to allow further discussions to take place with the applicants on the long-term preservation of the Phoebe Traquair Murals and use of the Mortuary Chapel.*

The alterations to the mortuary chapel are the subject of Listed Building Consent application [18/02725/LBC](#) which remains “Awaiting Decision”, notwithstanding that more than two years have passed since the DMSC meeting which mandated that the proposals be resolved within “three months”.

The planning report to the DMSC of 6 February 2019 acknowledged the objections from Historic Environment Scotland (HES) to the plans for the mortuary chapel, including HES’s proposed amendment:

The proposed conversion of the building should, in our view, be reconfigured from two down to one residential unit that would occupy part of the building. This would allow space for additional support accommodation which would link through the existing doorway to the chapel. To protect the chapel, any revised proposal must ensure that the room space above it is kept free of water supply pipes, drainage or wet central heating pipework.

While the onus is on the developer to amend the proposals to allow application [18/02725/LBC](#) to be granted, we consider that the HES proposal forms a good basis for acceptable amendments that would allow the murals to be preserved and made available for public access, with space for interpretation on the ground floor. We can see no good reason for the delay in proposing an amended design for the mortuary chapel and we are concerned that there is insufficient leverage on the developer to amend the proposals and to refurbish the chapel in a form that will allow public access to the murals and for the day-to-day management of the chapel then to be passed to a suitable amenity body. There remains a risk that the chapel is simply abandoned in its present state, with the delay in approving [18/02725/LBC](#) cited as an excuse.

The official letter granting planning permission under [18/02719/FUL](#) for the main site was not issued until 3 August 2020 and it included eight conditions, of which the final two (which have not been discharged) are:

7. Details of a management agreement relating to the Mortuary Chapel to allow continued public access by prior arrangement to the mortuary chamber containing the Traquair Murals shall be submitted to and approved by the Council, as planning authority, prior to the occupation of the residential units forming part of the converted mortuary chapel building. Public access will be afforded as reasonably practical thereafter (taking cognisance of the status of the site as a building site and any necessary health and safety requirements).

8. The care and protection of the murals in the RHSC Mortuary Chapel Building, before, during and after building works shall be carried out in accordance with the supplementary addendum report "RHSC Mortuary Chapel (Edin.) - Phoebe Traquair Murals" dated 27 July 2018.

The obligation on the developer to make public access available for the murals (condition 7 of [18/02719/FUL](#)) must be enforced in a timely manner. The absence of an acceptable amendment to [18/02725/LBC](#) for the internal redevelopment of the mortuary chapel must not be allowed to create a protracted hiatus in the work to restore the murals and provide public access.

Our specific requests are therefore:

a) Expediting the amendments to 18/02725/LBC to enable its approval

We request that the Council makes explicit the changes required to 18/02725/LBC to enable it to be granted and that the developer is advised that Conditions 7 and 8 of 18/02719/FUL cannot be discharged in the absence of a grant of 18/02725/LBC. The work under that application must include all internal and external finishes and fitting out of the mortuary chapel “to allow continued public access”. It is imperative that the developer is not permitted to decouple 18/02719/FUL from 18/02725/LBC and thereby complete the redevelopment and occupation of the main site while leaving the mortuary chapel in mothballs pending a revised plan for it.

b) Condition 8 of 18/02719/FUL

We request that the Council makes very clear in any Decision Notice it may see fit to issue for this 21/00331/LBC that any such grant does not have any implications for the discharge of Conditions 7 or 8 of 18/02719/FUL, which must instead be discharged as part of a resolution to 18/02725/LBC and agreement about the final arrangements for public access to the mortuary chapel and the long-term management and maintenance of the murals.

c) Safeguards to the chapel and the murals during demolition works and redevelopment

The method statement submitted with this 21/00331/LBC does not reflect the need for particular care when the building which has been built against the west wall of the mortuary chapel building immediately next to the mortuary chapel itself is being removed. Conventional demolition with large machinery would be inappropriate. The buildings attached to the chapel should be ‘deconstructed’ with each item removed carefully to avoid damage to the chapel or its contents. A demolition method statement should be submitted by the developer and the contractor. This method statement should be checked and agreed by an independent structural engineer appointed by the Council. Works on site should be subject to inspection by that independent engineer throughout the demolition works.

In the absence of assurances from the applicant and the Council concerning the three points above, we request that the present application [21/00331/LBC](#) be refused.

Grange Association
26 February 2021